

House File 2551 - Enrolled

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1 1 HOUSE FILE 2551
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1 3 AN ACT
1 4 PROVIDING REQUIREMENTS FOR A NONRESIDENT OF THIS STATE ENGAGED
1 5 IN THE AERIAL APPLICATION OF PESTICIDES, MAKING PENALTIES
1 6 APPLICABLE, AND PROVIDING AN EFFECTIVE DATE.
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1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 10 Section 1. Section 206.6, subsection 1, unnumbered
1 11 paragraph 2, Code 2007, is amended by striking the paragraph.
1 12 Sec. 2. Section 206.6, subsection 5, Code 2007, is amended
1 13 to read as follows:
1 14 5. ISSUE COMMERCIAL APPLICATOR LICENSE. ~~If the~~
1 15 a. The secretary finds the shall approve an application
1 16 and issue a commercial applicator license to the applicant as
1 17 follows:
1 18 (1) The applicant is qualified as found by the secretary
1 19 to apply pesticides in the classifications for which the
1 20 applicant has applied and if the,
1 21 (2) The applicant files the bonds or insurance must
1 22 furnish to the department evidence of financial responsibility
1 23 as required under section 206.13, and if the,
1 24 (3) An applicant applying for a license to engage in
1 25 aerial application of pesticides has met must meet all of the
1 26 requirements of the federal aviation administration, the
1 27 United States department of transportation, and any other
1 28 applicable federal or state laws or regulations to operate the
1 29 equipment described in the application, the. The secretary
1 30 shall adopt by rule, additional requirements for issuing a
1 31 license to a person who is a nonresident of this state engaged
1 32 in the aerial application of pesticides, which may include but
1 33 is not limited to conditions for the operation of the aircraft
1 34 and the application of the pesticides under the supervision of
1 35 a person who is a resident of this state and licensed as a
2 1 commercial applicator under this section or as a pesticide
2 2 dealer under section 206.8. The secretary shall not adopt
2 3 rules concerning the operation of aircraft when not engaged in
2 4 the commercial application of pesticides.
2 5 b. The secretary shall issue a commercial applicator
2 6 license limited to the classifications for which the applicant
2 7 is qualified, which shall expire at the end of the calendar
2 8 year of issue unless it has been revoked or suspended prior
2 9 thereto by the secretary for cause. The secretary may limit
2 10 the license of the applicant to the use of certain pesticides,
2 11 or to certain areas, or to certain types of equipment if the
2 12 applicant is only so qualified. If a license is not issued as
2 13 applied for, the secretary shall inform the applicant in
2 14 writing of the reasons.
2 15 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
2 16 immediate importance, takes effect upon enactment.
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2 20 PATRICK J. MURPHY
2 21 Speaker of the House
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2 25 JOHN P. KIBBIE
2 26 President of the Senate
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2 28 I hereby certify that this bill originated in the House and
2 29 is known as House File 2551, Eighty-second General Assembly.
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2 33 MARK BRANDSGARD
2 34 Chief Clerk of the House
2 35 Approved _____, 2008
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3 4 CHESTER J. CULVER
3 5 Governor